

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

ERNEST SAENZ, et al.,

Plaintiffs,

vs.

No. CIV-08-1176 LH/LAM

**ATF TRUCKING, LLC and
JAMES LOVE,**

Defendants.

**ORDER GRANTING IN PART AND DENYING IN PART PLAINTIFFS’
UNOPPOSED MOTION TO EXTEND THE DEADLINE TO FILE EXPERT
REPORTS (Doc. 46)**

THIS MATTER comes before the Court on *Plaintiffs’ Unopposed Motion to Extend the Deadline to File Expert Reports (Doc. 46)*, filed March 12, 2010. Plaintiffs ask the Court to extend the deadline for Plaintiffs to provide expert reports from March 12, 2010 to “forty-five (45) days after Defendant, James Love, has been deposed,” and to extend Defendants’ deadline to provide expert reports from April 12, 2010 to “thirty (30) days after Plaintiffs’ expert reports are due.” *Id.* at 1. Plaintiffs did not state when Defendant Love’s deposition is scheduled, but the Court notes that in *Plaintiffs’ Amended Notice of Intention to Take the Oral Deposition of Defendant James Love (Doc. 45)*, Plaintiffs state that Defendant Love’s deposition is noticed for April 2, 2010. It therefore appears that Plaintiffs are asking for their expert report deadline to be extended to May 17, 2010, and for Defendants’ expert report deadline to be extended to June 17, 2010. The Court finds that these requested extensions are excessive, especially because Plaintiffs provide no explanation of why they are requesting the extensions. An extension of two weeks after Defendant Love’s

deposition should be sufficient time for Plaintiffs to provide their expert reports, and the Court will allow Defendants to provide their expert reports thirty days after Plaintiffs' reports are due.

IT IS THEREFORE ORDERED that *Plaintiffs' Unopposed Motion to Extend the Deadline to File Expert Reports (Doc. 46)* is **GRANTED in part** and **DENIED in part**, and Plaintiffs' expert disclosures are due by ***April 16, 2010***, and Defendants' expert disclosures are due by ***May 17, 2010***.

These deadlines shall not be extended again without approval of the Court upon a motion setting forth good cause for extension. All other deadlines set forth in the Scheduling Order (Doc. 30) will remain in effect and are not extended.

IT IS SO ORDERED.



LOURDES A. MARTÍNEZ
UNITED STATES MAGISTRATE JUDGE